

Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit: unknown

Examiner: unknown

For: PROCESS FOR IDENTIFYING  
CHEMICAL ACTIVE INGREDIENTS  
AND ACTIVE INGREDIENTS FOR  
INHIBITING THE  
1-DESOXY-D-XYLULOSE-5-PHOSPHATE  
BIOSYNTHESIS PATHWAY

## RESPONSE AND TRANSMITTAL OF NOTIFICATION OF MISSING REQUIREMENTS

Commissioner of Patents  
**Box: PCT (DO/EO/US)**  
 Washington, D. C. 20231

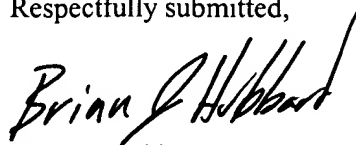
Dear Sir:

In response to the Notification of Missing Requirements under 37 U.S.C. 371 in U.S. Designated/Elected Office and response to Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated September 5, 2001, regarding the above-identified application, Applicant submits the following:

1. Original and copy of this Transmittal;
2. Copy of the Notification of Missing Requirements;
3. Copy of the Notification to Comply with Requirements;
4. Paper copy of the "Sequence Listing" previously submitted on October 13, 2000 with the initial filing;
5. Statement for Submission of Sequence Listing;
6. Computer Readable form (CRF) of the "Sequence Listing"; and
7. Return postcard.

The Commissioner is hereby authorized to charge any further fees associated with this communication or to credit any overpayment to Deposit Account No. 08-1394.

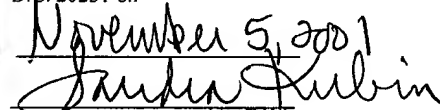
Respectfully submitted,



Brian J. Hubbard  
Reg. No. 45,873

Date: *Nov. 5, 2001*  
HAYNES AND BOONE, LLP  
901 Main Street - Suite 3100  
Dallas, Texas 75202-3789  
Phone: 214/651-5058  
Fax: 214/651-5940  
File: 12964.17  
D.956017.1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box: PCT (DO/EO/US), Commissioner for Patents, Washington, D.C. 20231 on

*November 5, 2001*  
  
SANDRA KUBIN



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NO.          | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/673389                     | HASSAN                | J 12964.17       |
| INTERNATIONAL APPLICATION NO. |                       |                  |

WARREN B KICE  
HAYNES AND BOONE  
3100 BANK OF AMERICA PLAZA  
901 MAIN STREET  
DALLAS, TX 75202 3789

PCT/EP99/02463

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 13 APR 99        | 14 APR 98     |

DATE MAILED:

05 SEP 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the JB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Electal Office (37 CFR 1.495):

- |                                                                                                                          |                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.                                                             | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.                                               | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).                                                 | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.                                                                  | <input type="checkbox"/> Other:                                                                |
| <input checked="" type="checkbox"/> Priority Document.                                                                   |                                                                                                |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |                                                                                                |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |                                                                                                |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

☒ PCT/DO/EO/920

Paulette Kidwell, Paralegal

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3656



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

|                               |                       |                  |
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| 09/673389                     | HASSAN                | J 12964.17       |
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PCT/EP99/02463

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 13 APR 99        | 14 APR 98     |

DATE MAILED:

05 SEP 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:**

(703) 308-4216, for Rules interpretation,  
(703) 308-4212, for CRF submission help,  
(703) 287-0200, for PatentIn software help.

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

DOCUMENT PROCESSING  
BRANCH

02 JAN 11 PM 2:32

JC10 Rec'd PCT/PTO 03 JAN 2002

09/673,389

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901 Main Street • Suite 3100 • Dallas, Texas 75202-3789

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Washington, D.C. 20231